



Association of Bay Area Governments
Bay Area Air Quality Management District
Metropolitan Transportation Commission

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Joint Policy Committee / Regional Planning Program

Date: January 9, 2006
To: Joint Policy Committee
From: Regional Planning Program Director
Subject: Proposed Amendments to Smart-Growth Policies

At its September meeting, I recommended that the JPC endorse amendments to the regional Smart-Growth Policies. These amendments were intended to reflect concerns and ideas that had risen in prominence since the regional agencies adopted those policies in 2002. Attachment A details the policy amendments proposed in September and their rationale.

The JPC did not approve my recommendations, but requested a report back clarifying the policy on Future Urban Development. Committee members also wished to consider new or enhanced policies related to school capacity and educational quality, sustainability (particularly green buildings), and affordable housing.

For the November JPC, I prepared a memo which addressed each of the issues identified in September. The Committee took no action on the recommendations in that memo as there was not a quorum present at that point in the meeting. In what follows, I am resubmitting the body of that memo for Committee Action. There is one change from the November memo: at the suggestion of one JPC member, I have added a reference to urban growth boundaries in the proposed policy on Land for Future Urban Development.

Land for Future Urban Development

Responding to the Committee's concern about the ambiguity of the previously suggested policy, I propose a more direct, albeit more negative, wording of the policy, incorporating elements of its rationale:

Anticipate and prepare for future urban expansion by discouraging the premature subdivision of agricultural and vacant land for low-density residential development that cannot be efficiently served by transit, which does not provide for the complete range of infrastructure, uses and services required to meet the daily needs of residents, ~~and~~ *which is located without regard to proximate employment opportunities and which does not respect urban growth boundaries.* (Deletions from the November proposal are indicated ~~by~~ *strikeouts* and additions by *italics*)

School Capacity and Educational Quality

Concerns about school infrastructure and the quality of public education are frequently noted as impediments to the community acceptance and successful marketing of infill development. While the existing policies contain reference to educational facilities, there are opportunities to strengthen the links between smart growth and schools:

Amend the policy on Social Justice and Equity to read as follows:

Improve conditions in disadvantaged neighborhoods, ensure environmental justice, and improve access to jobs, housing, ~~and~~ public services *and good schools* for all residents in the region. (In this and following amendment proposals, deletions from the September proposal are indicated by ~~strikeouts~~ and additions to the proposal by *italics*.)

Amend the policy on Infrastructure Investments to read as follows:

Improve and maintain existing infrastructure and support future investments that promote smart growth, including water and land recycling, brownfield clean-up and re-use, multi-use ~~and school~~ facilities, smart building codes, retention of historic character and resources, and ~~educational improvements~~ *provision of high-quality school capacity*.

Amend the policy on Cooperation on Smart Growth Policies as follows:

Encourage *the State*, local governments, *water and sewer districts, school districts*, stakeholders and other constituents in the Bay Area to cooperate in supporting actions consistent with the adopted Smart Growth policies. Forge cooperative relationships with governments and stakeholders in surrounding regions to support actions that will lead to inter-regional Smart Growth benefits. (In addition to school districts, I have added water and sewer districts as an explicitly named reference in this policy, as they—like school districts—have considerable influence over infrastructure capacity. I have also noted the significant omission of the State role in the policy as previously worded. The State has a significant say in virtually all public investments, including school facilities.)

Sustainability and Green Building

One of the principal reasons for smart growth is sustainability. Nevertheless, it may be helpful to include explicit references to sustainability and specific implementation measures, like green buildings, within the policies. Some direct reference to climate change is also timely.

Amend the policy on Environmental, Natural Resource, Open Space and Agricultural Preservation to read as follows:

Protect and enhance open space, agricultural lands, other valued lands, watersheds and ecosystems throughout the region. Promote development patterns *and building technologies* that protect and improve air quality, *conserve resources and reduce greenhouse gas emissions*. Protect and enhance the San Francisco Bay and Estuary. *Protect scenic,*

historic, and cultural resources that contribute to the region's identity. (Also incorporates amendments on scenic, historic and cultural resources recommended in the September memo)

Amend the policy on Infrastructure Investments to read as follows:

Improve and maintain existing infrastructure and support future investments that promote smart growth, including water and land recycling, brownfield clean-up and re-use, multi-use facilities, smart building codes, *green building principles*, retention of historic character and resources, and provision of high-quality school capacity. (Incorporates earlier proposed school amendments without highlighting)

Affordable Housing

Housing affordability is a central tenet of the region's smart growth policies and of the *FOCUS* program. It is explicitly referenced in the first three smart-growth policies: Jobs/Housing Balance and Match, Housing and Displacement, and Social Justice and Equity. I cannot identify any additional references which would add value to the application of the policies.

RECOMMENDATION

I RECOMMEND:

- A. THAT the Joint Policy Committee endorse the addition of the following policies to the officially adopted *Smart Growth Preamble and Policies*:

Health and Safety

Promote and protect public health and safety by locating and designing development with sensitivity to natural and man-made risks, by reducing these risks where appropriate and feasible, and by facilitating healthy and safe behaviors.

Economic Activity and Goods Distribution

Encourage planning and development that respects the public and private infrastructure required for the maintenance of a prosperous regional economy and for the efficient provision and distribution of goods and services.

Future Urban Development

Anticipate and prepare for future urban expansion by discouraging the premature subdivision of agricultural and vacant land for low-density residential development which cannot be efficiently served by transit, which does not provide for the complete range of infrastructure, uses and services required to meet the daily needs of residents, which is located without regard to proximate employment opportunities, and which does not respect urban growth boundaries.

- B. THAT the Joint Policy Committee endorse amendments to existing smart growth policies to read as follows:

Social Justice and Equity

Improve conditions in disadvantaged neighborhoods, ensure environmental justice, and improve access to jobs, housing, public services and good schools for all residents in the region.

Environmental, Natural Resource, Open Space and Agricultural Preservation

Protect and enhance open space, agricultural lands, other valued lands, watersheds and ecosystems throughout the region. Promote development patterns and building technologies that protect and improve air quality, conserve resources and reduce greenhouse gas emissions. Protect and enhance the San Francisco Bay and Estuary. Protect scenic, historic, and cultural resources that contribute to the region's identity.

Infrastructure Investments

Improve and maintain existing infrastructure and support future investments that promote smart growth, including water and land recycling, brownfield clean-up and re-use, multi-use facilities, smart building codes, green building principles, retention of historic character and resources, and provision of high-quality school capacity.

Cooperation on Smart Growth Policies

Encourage the State, local governments, water and sewer districts, school districts, stakeholders and other constituents in the Bay Area to cooperate in supporting actions consistent with the adopted Smart Growth policies. Forge cooperative relationships with governments and stakeholders in surrounding regions to support actions that will lead to inter-regional Smart Growth benefits.

- C. THAT the Joint Policy Committee recommend and refer the above additional policies and policy amendments (as consolidated in Attachment B) to the Association of Bay Area Governments Executive Board, to the Bay Area Air Quality Management District Board, to the Bay Conservation and Development Commission, and to the Metropolitan Transportation Commission for formal adoption as regional policy.

Attachment A

PROPOSED AMENDMENTS TO SMART-GROWTH POLICIES, SEPTEMBER 2006

The criteria for PDA and PCA identification are constructed as goals and strategies. Each strategy has associated with it one or more geographic data layers, which when combined via our spatial model point to potential Priority Areas.

Attachment A.1) lists the goals and strategies we are using for *Focusing Our Vision*. Most of these are based on adopted regional policy as expressed in the *Smart Growth Preamble and Policies* (Attachment A.2). This official expression of regional policy was adopted by four of the five Bay Area regional agencies (ABAG, BAAQMD, BCDC, and MTC) in 2002 upon the completion of the *Smart Growth Strategy / Regional Livability Footprint Project* (the *Project*).

However, a few goals and strategies do not have clear referents in adopted policy. These new goals and strategies reflect issues and concerns that have risen in prominence since 2002. The areas of potentially expanded regional policy are italicized in Attachment A.1.

Regional and local collaboration around specific Priority Areas will benefit from regional policy that has been officially sanctioned by elected policy-makers. Therefore, we are recommending that the *Smart Growth Preamble and Policies* be formally amended to incorporate policy intent relevant to these emergent issues and concerns.

We believe new policy is required on the following topics:

1. Health and Safety

Last year the California Air Resource Board (CARB) released its *Air Quality and Land-Use Handbook* and the JPC received a presentation from CARB staff. The *Handbook's* recommendations are consistent with concerns that have also been highlighted by the environmental-justice community and are the subject of BAAQMD's Community Air Risk Evaluation (CARE) program. All suggest that development needs to be carefully sited relative to local sources of air pollution, including highways and ports. The 100th anniversary of the San Francisco earthquake, increased worries about the stability of the region's levees, and the prospect of sea-level rise as the result of global warming have also reminded us that we live in region with significant environmental risks. To the extent, possible, we need to heed these risks when locating new development and population concentrations. The potential impact of development form on physical exercise and the onset of obesity also deserves some recognition.

Proposed Policy:

Health and Safety

Promote and protect public health and safety by locating and designing development with sensitivity to natural and man-made risks, by reducing these risks where appropriate and feasible, and by facilitating healthy and safe behaviors.

2. Economic Activity and Goods Distribution

The *Smart Growth Strategy / Regional Livability Footprint Project* was started at a time when the Bay Area economy was booming, and it is likely that the impact of the dot-com bust had not fully sunk in when the *Project* wound down in 2002. For whatever reason, economic development issues do not enjoy high standing in either the *Project's* final report or in the *Preamble and Policies*. Since 2002, the region's goods movement study and some local planning exercises have pointed to potential land-use competition between "smart" residential development and goods-distribution facilities. Our transit-oriented development work has also highlighted possible conflicts between proposed residential densities and established industrial activities; and there has been a general concern about residential development foreclosing opportunities for job generators. A policy sensitive to these economic concerns is appropriate.

Proposed Policy:

Economic Activity and Goods Distribution

Encourage planning and development that respects the public and private infrastructure required for the maintenance of a prosperous regional economy and for the efficient provision and distribution of goods and services.

3. Land for Future Urban Development

The *Project* and the resultant *Policies* emphasize infill development and re-development within existing cities and towns. This is appropriate and desirable. However, even with copious infill, future regional growth will likely require some totally new communities developed on greenfield. Planning these new communities to conserve natural resources, to reduce trip demand through mixed and multiple uses, and to achieve densities appropriate to transit service will be more difficult if the greenfield is prematurely subdivided and developed at low densities (so-called parcelization). It is the region's interest to maintain a relatively un-subdivided and undeveloped "urban reserve" to facilitate the planning and development of new compact and complete communities in the future.

Proposed Policy:

Future Urban Development

Reserve land for the future creation and extension of complete communities developed at efficient urban densities, encompassing a range of uses and services required to meet the daily needs of residents and providing proximate employment opportunities as appropriate.

4. Conservation of aesthetic, historic and cultural resources

As the Bay Area matures, there is an increasing interest in protecting unique aspects of its cultural heritage in addition to its natural environment. Amending the policy relating

to environmental conservation makes it clear that we may consider culturally significant resources in designating priority areas.

Proposed Policy Amendment:

Amend the policy on Environmental, Natural Resource, Open Space and Agricultural Preservation to add the following sentence at the end:

Protect scenic, historic, and cultural resources that contribute to the region's identity.

Attachment A.1

Focusing Our Vision

Goals and Strategies

August 2006

Goals to Advance the Regional Vision

- Strengthen and support unique existing communities
- Create compact, healthy communities with a diversity of housing, jobs, activities, and services to meet the daily needs of residents
- Increase housing supply and choices
- Improve housing affordability
- Increase transportation efficiency and choices
- Protect and steward natural habitat, open space, and agricultural land
- Improve social and economic equity
- Promote economic and fiscal health
- Conserve resources, promote sustainability, and improve environmental quality
- *Protect public health and safety*

Priority Development Area Strategies

- Encourage infill and the efficient use of land capacity within existing communities
- Provide for compact, complete, resource-efficient communities near existing or planned transit and other infrastructure
- Provide opportunities for people to live near their jobs and work near their homes
- Encourage a mix of land uses with jobs, housing, retail, schools, parks, recreation, and services in proximity
- Locate development in areas served and likely to be served by frequent passenger rail, bus, and/or ferry service
- Support community revitalization without displacing current residents
- Ensure that all socio-economic groups benefit from regional change
- Use existing infrastructure capacity and maximize return on new infrastructure investments
- *Maintain goods movement corridors and retain land uses that support related distribution and industrial uses*
- *Direct development so as to promote and protect public health and safety, avoid hazards, and/or mitigate development impacts*
- Reduce the number and length of auto trips and facilitate walking and biking
- *Reserve land to accommodate future growth at appropriate densities*

Priority Conservation Area Strategies

- Maintain the productive function of lands for agriculture and other resource needs
- Protect and restore wildlife corridors and habitat
- Preserve the natural flow and recharge of water and support ecosystem processes
- *Protect scenic, historic, and cultural resources that contribute to the region's identity*
- Protect and enhance significant open space and recreation areas and networks

Note: Goals and strategies are listed in no particular order and are not ranked. Italicized items do not have referents in existing official regional policy.

SMART-GROWTH PREAMBLE AND POLICIES

Preamble

Current land-use patterns in the San Francisco Bay Area are putting intense pressure on the economic, environmental and social wellbeing of the Bay Area and of surrounding regions. The projected addition of over one million new residents and one million new jobs in the coming decades will further challenge our ability to sustain the high quality of life we enjoy today.

To help meet this challenge, the five regional agencies of the Bay Region—the Association of Bay Area Governments, Bay Area Air Quality Management District, Bay Conservation and Development Commission, Metropolitan Transportation Commission and the Regional Water Quality Control Board—along with the economy, environment and social equity caucuses of the Bay Area Alliance for Sustainable Communities, developed a set of Smart Growth policies.

The policies reflect the values articulated by workshop participants of the Smart Growth Strategy/Regional Livability Footprint Project and address Bay Area conditions. The policies are consistent with widely accepted notions of smart growth. They are meant to encourage meaningful participation from local governments, stakeholders and residents.

The policies provide a framework for decision-making on development patterns, housing, transportation, environment, infrastructure, governmental fiscal health and social equity that can lead us toward development of vibrant neighborhoods, preservation of open space, clean air and water, and enhanced mobility choices, while enhancing the Bay Area's relationship with surrounding regions.

Policies

Jobs/Housing Balance and Match

Improve the jobs/housing linkages through the development of housing in proximity to jobs, and both in proximity to public transportation. Increase the supply of affordable housing and support efforts to match job income and housing affordability levels.

Housing and Displacement

Improve existing housing and develop sufficient new housing to provide for the housing needs of the Bay Area community. Support efforts to improve housing affordability and limit the displacement of existing residents and businesses.

Social Justice and Equity

Improve conditions in disadvantaged neighborhoods, ensure environmental justice, and improve access to jobs, housing, public services and good schools for all residents in the region.

Environmental, Natural Resource, Open Space and Agricultural Preservation

Protect and enhance open space, agricultural lands, other valued lands, watersheds and ecosystems throughout the region. Promote development patterns that protect and improve air quality. Protect and enhance the San Francisco Bay and Estuary.

Mobility, Livability and Transit Support

Enhance community livability by promoting infill, transit oriented and walkable communities, and compact development as appropriate. Develop multi-family housing, mixed-use development, and alternative transportation to improve opportunities for all members of the community.

Local and Regional Transportation Efficiencies

Promote opportunities for transit use and alternative modes of transportation including improved rail, bus, high occupancy (HOV) systems, and ferry services as well as enhanced walking and biking. Increase connectivity between and strengthen alternative modes of transportation, including improved rail, bus, ride share and ferry services as well as walking and biking. Promote investments that adequately maintain the existing transportation system and improve the efficiency of transportation infrastructure.

Infrastructure Investments

Improve and maintain existing infrastructure and support future investments that promote smart growth, including water and land recycling, brownfield clean-up and re-use, multi-use and school facilities, smart building codes, retention of historic character and resources, and educational improvements.

Local Government Fiscal Health

Improve the fiscal health of local government by promoting stable and secure revenue sources, reduced service provision costs through smart growth targeted infrastructure improvement, and state and regional sponsored fiscal incentives. Support cooperative efforts among local jurisdictions to address housing and commercial development, infrastructure costs, and provision of services.

Cooperation on Smart Growth Policies

Encourage local governments, stakeholders and other constituents in the Bay Area to cooperate in supporting actions consistent with the adopted Smart Growth policies. Forge cooperative relationships with governments and stakeholders in surrounding regions to support actions that will lead to inter-regional Smart Growth benefits.

Attachment B

SMART-GROWTH PREAMBLE AND POLICIES (AS AMENDED)

Preamble

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